

W5YI

America's Oldest Ham Radio Newsletter

REPORT

Up to the minute news from the world of amateur radio, personal computing and emerging electronics. While no guarantee is made, information is from sources we believe to be reliable.

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FCC Agrees to Relicense Herb Schoenbohm, ex-KV4FZ

The FCC has granted the application of Herbert L. Schoenbohm – KV4FZ – for an Amateur Radio station license and a General Class operator license. The decision was adopted by Administrative Law Judge Arthur I. Steinberg on October 9, 2002 after a May 7th hearing to determine if Schoenbohm "...possessed the requisite character qualifications to be a Commission licensee." Unless objections are filed by November 9, 2002, the Initial Decision becomes effective on November 29, 2002.

We have been following this story for over ten years, but newer subscribers may not be aware of the background.

Background of the case

On April 24, 1992, Herbert L. "Herb" Schoenbohm, KV4FZ, a high profile St. Croix ham operator was found guilty in federal court of knowingly defrauding a Virgin Islands long-distance telephone service reseller. KV4FZ was controversial on the ham bands because he was very vocal in publicly criticizing the operating habits of other operators.

He was convicted on three counts of using stolen long distance access codes in 1987 which allowed him to make more than \$1,000 in free long distance calls (although the prosecution said he was responsible for far more.). The access codes belonged to the Caribbean Automated Long Lines Service, Inc. (CALLS) of St. Thomas, U.S. Virgin Islands. Schoenbohm, who also was an official in the Virgin Island Republican party, could have received a maximum of ten years on each count.

Much of the evidence at the four day trial centered on people who received long distance telephone calls in 1987 from KV4FZ as recorded by the CALLS computer. The prosecution produced 20 witnesses from various U.S. locations, including government agents from the Secret Service, the U.S. Marshals Service, Treasury Department and the FCC. In addition, anti-Herb Schoenbohm ham operators testified for the prosecution.

Schoenbohm was portrayed as a criminal who had defrauded CALLS out of hundreds of thousands of dollars. Schoenbohm said he believed the case was politically motivated since he had been criticizing a Virgin Islands Congressional delegate.

Schoenbohm was suspended with pay from his Communications Chief job with the Virgin Islands Police Department after being indicted and was fired when the conviction was upheld. He was sentenced to two months in prison (later suspended) and two years probation and fined \$5000.

Schoenbohm made many enemies on the Amateur airwaves and several ham operators wanted his amateur radio license pulled -- and made certain that the FCC was aware of his conviction.

The FCC agreed that his conviction was "relevant to evaluating the likelihood that he will comply" with the FCC's rules. In early 1994, the FCC refused to renew his ham radio license and began a proceeding which eventually stripped Schoenbohm of his ham ticket. The FCC did, however, extend the expiration date of the license until all appeals were exhausted which took more than five years.

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Schoenbohm's amateur license renewal was finally denied in 2000, when the U.S. Supreme Court refused to hear the case. His operating authority expired in January 2001.

On April 14, 2001, Schoenbohm applied for a new Amateur Radio license and passed the General exam. The FCC designated his pending application for a hearing, to determine if Schoenbohm deserves to be a Commission licensee.

Initial Decision released

On October 11, 2002, the FCC released an initial decision agreeing to let Herb Schoenbohm back on ham radio. Here are some excerpts from that document:

- Schoenbohm was born in 1939, the son of a Lutheran minister. Amateur radio has played a major role in Schoenbohm's life. He first obtained a ham license at the age of 14 and, with his father the founder of the Courage Center in Minnesota, participated in a program to assist handicapped persons to become hams. As a licensed amateur radio operator, Schoenbohm received many commendations for utilizing amateur radio during emergencies including being named by the governor of the Virgin Islands as a "Hero of Hurricane Hugo" for keeping vital communications lines open in the aftermath of the most devastating storm ever to hit St. Croix.

- Following two separate hearings, the Commission, in July 1998, determined that Schoenbohm had engaged in misrepresentation and was not fully candid in describing his conviction. The Commission found that Schoenbohm had testified deceptively about his conviction both in 1995 and again in 1997. In addition, the Commission found that Schoenbohm had testified deceptively in 1997 about an amateur radio transmission he made in 1995, during which Schoenbohm solicited others to make ex parte presentations to the Commission on his behalf. Consequently, the Commission denied Schoenbohm's applications.

- Schoenbohm understands that the purpose of the hearing is to determine whether he "has been sufficiently rehabilitated that the Commission could be confident that he could be relied upon to ...deal with the Commission in an honest and forthright manner." In support of his claim that he now possesses the requisite character qualifications, Schoenbohm stated that he "has worked hard to rehabilitate [him]self and to overcome the effects of [his] conviction," and "to demonstrate that [he is] capable of obeying the law and, in particular, the FCC's rules and regulations."

- When Hurricane Lenny hit the Virgin Islands in 1999, the power supply for station WSTX(AM) was interrupted and the station's tower had fallen to the ground. The Virgin Islands Emergency Management Agency directed Schoenbohm to install an antenna to ensure that station WSTX was able to operate "so the public could be informed by FEMA and by the local government agencies on relief supplies." It was considered vital to put that sta-

tion back on the air because WSTX was the primary AM station that people listened to during emergencies.

Schoenbohm restored the station's antenna and tuned the transmitter so that the station could continue operating. Schoenbohm was commended by the Government of the Virgin Islands for his work

- In October 2001, subsequent to the cancellation of his licenses, Schoenbohm served as a host for a participant in an international radio competition. The purpose of the competition was to have contestants make contact with other amateur stations around the world. The contestant who had the highest score would win.

Some months earlier, Schoenbohm had placed a notice on the Internet advising that his home would be available to amateur radio operators who wished to participate in the contest. Steven S. Reichlyn, amateur radio licensee of station AA4V, accepted Schoenbohm's offer. Reichlyn arrived at Schoenbohm's home on October 25, 2001, two days before the start of the contest, and did not leave Schoenbohm's premises until October 29, 2001, after the contest had ended.

The contest began on Saturday, October 27, 2001, at 00:00 Greenwich Mean Time ("GMT") and lasted 48 hours. Reichlyn operated from inside of Schoenbohm's house, a single-level dwelling that is "basically a very open area that is separated only by ...windows [that] are all louvered." Reichlyn became fatigued and stopped transmitting at 0627 GMT, October 27th. He asked Schoenbohm if he would like to operate the microphone; Schoenbohm had an expertise at operating on low frequencies. Schoenbohm reluctantly accepted and began operating the equipment under Reichlyn's call sign from 0627 to 0758 GMT. Schoenbohm contacted multiple operators during that period, including contacts in St. Martin, Scotland, Canary Islands, Mexico, New Zealand, Costa Rica, Ireland, Cuba, Antigua, and Aruba. Although Reichlyn did not stay in the equipment room with Schoenbohm at all times, Schoenbohm believed that he was supervised by Reichlyn during this period because Reichlyn remained on the premises, stayed within earshot of [his] transmissions, and observed his operations.

Reichlyn resumed operating the microphone at 0758 GMT and did not ask Schoenbohm to take over for him again until the following day. Schoenbohm thereupon operated the equipment from 0834 to 0903 GMT, October 28th. During this second time period, Reichlyn "did not leave the premises" and was "always in a position to exercise the necessary controls [over Schoenbohm] to comply with the [Commission's] rules and regulations." Reichlyn "was always within ...earshot of the operating facility," and "was always in a position to control the ...periods of time that [he] was operating."

Schoenbohm was aware that Section 97.115 of the Commission's Rules prohibits certain communications involving a "third party." Schoenbohm did not believe that he violated Section 97.115 when he operated radio equipment under Reichlyn's call sign and supervision. As Schoenbohm understood that rule, he would be

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prohibited, as an unlicensed operator, "from passing messages to third parties." However, the rules would not prohibit him "from being a voice behind the microphone to establish the communication" with another operator. Schoenbohm also understood that, so long as a licensed operator supervised the transmission, an unlicensed operator could "speak into [the] microphone."

- Schoenbohm acknowledged that "misrepresentation ... is considered to be a cardinal sin at the Commission", and he viewed the Commission's denial of an application for renewal as "a death penalty." Although [he] disavowed any deliberate intent to deceive the trier of fact during his earlier Commission hearings, he specifically acknowledged that the mistakes he made in his prior testimony "were egregious mistakes, fatal mistakes." Schoenbohm believed that being denied use of an amateur station for 15 months has been an adequate sanction

- **Behavior subsequent to the prior misconduct.** The findings establish that Schoenbohm has not engaged in any criminal misconduct since his 1992 conviction for fraud. In addition, for about the past eight years Schoenbohm has held a responsible position with the government of the Virgin Islands. In this position, Schoenbohm has been in charge of expenditures and supervision of large amounts of money and property. During this time, nobody has accused Schoenbohm of any dishonesty in connection with his work. It is, therefore, concluded that Schoenbohm has not been involved in any significant wrongdoing since the occurrence of the misconduct for which he lost his licenses.

...the Bureau contends that Schoenbohm's operation of Reichlyn's station during the October 2001 amateur contest violated ...the Commission's Rules because Schoenbohm did not have a license to transmit and was not otherwise authorized to operate the station.

This matter is without decisional consequence. [but] it would not be considered of sufficient magnitude to disqualify Schoenbohm from becoming a Commission licensee, or to warrant the denial of his applications. In this regard, it is clear that the Bureau itself did not consider the alleged violations to be determinative or disqualifying since it concluded that Schoenbohm "possesses the requisite character [qualifications] to be a Commission licensee," and it recommended that his applications be granted. Under these circumstances, Schoenbohm's actions during the 2001 amateur contest do not evince any "significant wrongdoing" on his part.

- **Time since the misconduct.** The evidence establishes that nearly 10 years have elapsed since Schoenbohm's fraud conviction. Additionally, the evidence shows that Schoenbohm testified deceptively in Commission proceedings held in 1995 and 1997, approximately 7 and 5 years ago, respectively. Therefore, it is concluded that, while the deceptive testimony cannot be considered to be of ancient vintage, neither can it be considered to be of very recent origin.

- **Applicant's reputation for good character in the**

community. Schoenbohm's reputation for good character may also be inferred by his current employment record, by his conduct during Hurricane Lenny, and by his position as an elected and non-elected official of the Republican Party of the United States Virgin Islands. With respect to employment, Schoenbohm has held, and continues to hold, positions of responsibility and trust in the Virgin Islands Department of Property and Procurement. Moreover, when Hurricane Lenny hit the Virgin Islands, Schoenbohm returned station WSTX(AM) to the air. It was vital to put that station back on the air because it was the primary AM station that people listened to during emergencies. Schoenbohm was commended for "giving unselfishly of [his] time to ensure that the needs of the government and [his] community were fulfilled."

In view of the above, it must be concluded that [his] reputation for good character in his community is excellent.

- **Meaningful measures taken to prevent the future occurrence of misconduct.** The denial of Schoenbohm's renewal applications occurred because he testified deceptively before this agency. He has now come to terms with his conviction, and recognizes that he is a felon. Schoenbohm has also acknowledged in no uncertain terms that he made "egregious ...fatal mistakes" in his 1995 and 1997 hearing testimony, and he realizes that the Commission views misrepresentation as a "cardinal sin."

- **Deterrent impact of the previous denial.** The evidence establishes that Schoenbohm has been greatly shamed and humiliated as a result of the loss of his licenses, and he felt that he let his community down.

In light of Schoenbohm's prominence and notoriety in the amateur radio community, as well as the positions of responsibility and trust he occupies in the Virgin Islands Department of Property and Procurement, it must be concluded that the loss of his licenses, and the shame and humiliation that resulted, have had the desired deterrent effect. As Schoenbohm stated, "the fact that I lost the license[s] ...is a significant deterrent from screwing up ever again in the future."

ULTIMATE CONCLUSION

In sum, it has been concluded that Schoenbohm has not engaged in any significant wrongdoing since his prior disqualifying misconduct; that Schoenbohm's prior misconduct was not of very recent origin; that Schoenbohm's reputation for good character in his community is excellent; that Schoenbohm has taken meaningful measures to prevent the future occurrence of misconduct; and that the loss of Schoenbohm's licenses, coupled with the shame and humiliation that resulted, provide a sound basis for concluding that a recurrence of misconduct is unlikely. Consequently, it is ultimately concluded that Schoenbohm possesses the requisite character qualifications to be a Commission licensee (Issue 1), and that the captioned applications should be granted (Issue 2).

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FCC AGREES TO RENEW MITNICK'S HAM LICENSE

On Dec. 21, 2001, the FCC released a Hearing Designation Order to determine if the Amateur Radio license of famed computer hacker, Kevin Mitnick, N6NHG, should be renewed. It expired on Dec. 12, 1999 but was not acted upon pending a final decision on his application for renewal. He has held a ham ticket since March 4, 1986.

Mitnick is a convicted felon whose well publicized illegal activities have included the telephone hacking, computer fraud, wire fraud, and causing damage to computers.

The FCC said that "...Mr. Mitnick's criminal behavior raises a substantial and material question as to whether he possesses the proper character qualifications to be Commission licensee." The case was heard by Administrative Law Judge Richard L. Sippel in Washington, D.C. on June 18, 2002. Mitnick was represented by an attorney, Lauren Colby of Frederick, MD.

Mitnick began hacking computers when he was 16 and continued for approximately 15 years. To him, "hacking" was an "intellectual challenge" which eventually got him into trouble. He was arrested in Dec. 1988, for hacking computers owned by Digital Equipment Corporation and agreed to a plea bargain that provided for a year in jail and three years probation which expired on Dec. 7, 1992.

In Jan. 1993, Mitnick learned that a parole violation warrant had been issued for his arrest and he skipped town, using false names to avoid apprehension. After two years on the run, he was arrested again in Feb. 1995 and spent the next five years in jail. First, a North Carolina prison and then transferred to a federal prison in California. As a result of another plea agreement, Mitnick admitted that he stole software from various firms and was sentenced him to 46 months (which included the time already served) and ordered to pay \$4125 restitution. He got out of prison on Jan. 21, 2000 and placed on probation for three years.

In Dec. 1999, about one month before being released from prison, Mitnick applied to renew his amateur radio license. Mitnick testified that his hobby as an amateur radio operator "...started with his intense desire to learn about and help improve technology and the Amateur Radio Service" adding that, since his release from prison, he uses his ham station daily and values his license.

Rehabilitation Evidence

The primary question during the FCC hearing was whether Mitnick had been rehabilitated enough to be trusted. He said that he spent the majority of his time caring for his sick father who had suffered a heart attack and later cancer. His father passed away on July 4, 2001.

During the time he cared for his father, he said he "...reflected on what he had done with his life and decided to turn his life around and dedicate his life to a career in broadcast radio, public speaking, and writing to help government, businesses, and individuals minimize the risks associated with computer intrusions."

Toward that end, he said he testified before Congress in March 2000 on the reliability of federal government com-

puter systems and provided information to the U.S. Commission on National Security on protecting U.S. national critical infrastructures.

He also co-hosted a weekly Los Angeles radio show called "The Darkside of the Internet" about demystifying the Internet for the public and helping people and businesses better protect their privacy and security when using the Internet and telephone systems.

During the first half of 2002, Mitnick co-wrote a book focusing on how computer systems and confidential business information can be compromised. And he is now looking into hosting a nationally-syndicated talk show.

Mitnick testified that it "...was never his intent to profit or otherwise harm the victims. His motivation was to learn about technology by exploring computer systems and networks, and to enjoy the intellectual stimulation of out-witting other programmers." He said he now realizes and regrets that his actions did cause harm and damage to others.

Mitnick said he had matured and that hacking is young man's crime that you eventually grow out of. "Right now, my goals in life is to live a productive life and to earn a living and try to make up for all the time that I lost and try to be a productive citizen."

Proposed Conclusions of Law

The FCC agreed and said it believes that Mitnick now possesses the appropriate character qualifications and that the evidence of "rehabilitation is significant."

"Mitnick has been using his radio regularly since his release; given his notoriety and the Amateur Radio community's penchant for self-policing, we find it significant that there have been no complaints regarding his radio operations," the ALJ wrote in an opinion released Sept. 19, 2002.

"Mitnick's post-prison conduct demonstrates his rehabilitation, notwithstanding the relatively short period of time since his release from prison. [He] can be relied upon to deal honestly with the Commission, and ...to comply with the Commission's rules and regulations."

Ultimate Conclusions

The judge agreed that "Kevin David Mitnick committed serious crimes [but] has paid his debt to society, both with five years of imprisonment and by apologizing and making restitution to many of the entities harmed by his crimes. The evidence indicates that he has experienced a dramatic change of attitude and is living the life of a responsible citizen. It is concluded, therefore, that he has been adequately rehabilitated and that he possesses the requisite character to remain a Commission licensee. Accordingly, the applications of Kevin David Mitnick for renewal of his amateur station and operator licenses should be GRANTED."

On Oct. 9th, CNN posted a story about how "computerist terrorist" Kevin Mitnick is auctioning off his autographed laptop computer, a Toshiba 1960CS, on eBay (high bid so far is \$5,000.) "Mitnick said he will use the money to pay an attorney who has been trying to get his revoked amateur radio license back."

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CUTTING EDGE TECHNOLOGY

Netflix, which went public last May, pioneered DVD rentals over the Internet. It is now getting some serious deep-pocketed competition. Wal-Mart, the world's largest retailer, launched a test of a similar service on October 15th at \$18.86 per month ...6 percent cheaper than Netflix.

DVDs have been immensely popular. Based on industry figures, more than 30 million U.S. households now own a DVD player. And this is a product that wasn't even available 5 years ago.

Wal-Mart DVD Rentals supposedly is being handled from their <www.walmart.com> Website with DVDs being mailed out of their Carrollton, Georgia-based distribution center.

Netflix, with some 750,000 subscribers, has spent millions of dollars improving customer service and delivery time, including opening ten distribution centers in major cities to speed up delivery of DVDs.

Wal-Mart said that initially, it will limit their test to a specific number of customers. (We couldn't find Wal-Mart DVD Rentals on their Website so maybe they have already reached that number.) The service supposedly will be rolled out nationally next year after Wal-Mart gets initial feedback from customers.

Like Netflix (Los Gatos, CA), the Wal-Mart customers pay only a monthly subscription charge, is never charged a late fee or postage and can rent up to three DVDs at a time. Both companies say they stock over 12,000 DVD titles.

Dallas-based Blockbuster is also testing a DVD rental-subscription service. Their "Freedom Pass" version is being handled by individual stores. Under the plan, customers can check out two DVDs at a time for \$19.99 per month; three costs \$24.99 and keep them as long as they want.

But Blockbuster is clearly looking at getting into a DVD service similar to Netflix. Their 8,000 stores won't be happy when they learn that their parent company has quietly acquired a small competitor that operates from Mesa, Arizona under <www.DVDRentalCentral.com>. They allow 4 rentals out at a time for \$19.95 month.

All the news of competition has had an unsettling effect on Netflix stock which has dropped by more than 50 percent in

the last six months. It went public at \$15 and rose to \$18 in July. It now hovers around \$9.

DVDs are big business and movie studios now make almost as much from DVDs as they do from theaters. The next generation of DVDs will be HD-DVDs, made to be seen on high-definition televisions (HDTV.)

Inside the players, the red laser that reads the DVDs will ultimately be replaced by a blue laser, which promises an improved theater-quality picture and more data storage on a single disc.

EMERGING COMMUNICATIONS

The Disabilities Act does not apply to the Internet. A federal judge has ruled that Web sites do not have to be designed to provide easier access for the blind or disabled. Access Now, Inc. — an ADA advocacy group — sued Southwest Airlines because its Web site is not using a technology that allows words on a computer screen to be read aloud.

The complaint alleges that because special price offerings are frequently available only online, blind users who are denied access to these Web sites cannot take advantage of special fares when they make phone reservations.

The law, enacted in 1990, lists 12 categories, including hotels, restaurants, shopping centers, universities and bowling alleys. Southwest argued that the ADA was meant to apply to brick-and-mortar facilities rather than Web sites.

The judge agreed saying Internet sites are not "places of public accommodation" covered under the Americans with Disabilities Act.

The outcome could have had a devastating effect on millions of Internet sites — both commercial and non-commercial — if Southwest had lost the case since broad new requirements could have been imposed on all companies doing business online. See: <www.adaaccessnow.org>

The Internet is fast becoming the preferred information source. A Gartner Research study, titled "Internet and E-mail: Changing Traditional Media Consumption," finds that Web and Email use is up — and watching TV, reading newspapers and magazines, using postal "snail" mail and long distance telephone calling is less.

More than 160 million people in the United States are spending more than 1 billion hours per month on the Internet ...and are sending or receiving some 400 million e-mails a day.

COMPUTERS & SOFTWARE

Disney announced on Oct. 24th that it is launching a new customized dial-up version of Microsoft's MSN Internet service featuring Mickey Mouse, the Lion King and Winnie the Pooh aimed at children. Cost will be \$21.95 month. The idea is to take mainstream family customers away from AOL.

"Disney on MSN" with "robust parental controls" includes a subscription to Disney's "Blast" service, a collection of downloadable games for children that normally costs \$49.95 a year. When searching the Web, kids receive age-appropriate selections drawn from more than 60,000 prescreened sites.

Disney will promote the service by distributing CD-ROM start-up disks in its theme parks, stores and DVD packages. More at: <kids.msn.com/kidz/disney/> and <disneyonmsn.com>.

GADGETS & GIZMOS

The "next generation" Wireless Web is not yet catching on. Even though millions of cell phone users could have wireless Internet access, few people are using it.

Boston-based technology researcher, The Yankee Group's said in their "2002 Mobile User Survey" that most consumers fail to perceive the value of the Internet and data being piped to their cell phone.

Consumers say they don't need it and consider it too expensive or complicated. A common complaint is that the tiny screens are difficult to view and typing messages on phone keypads is slow and awkward.

Playing games over the wireless Web supposedly will be worth \$1.2 billion to U.S. operators by 2006. Carriers and software publishers are feverishly working on mobile gaming platforms and interactive games.

Wireless location-based services that tap into the GPS (global

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positioning system) to give directions and offer "911 panic-buttons" are destined to become popular. Cell phones will be able to tell roadside or emergency help where you are located within 30-feet, even if you don't know ...or tell you which of your friends are in the same shopping center as you and exactly where they are.

Fujitsu Laboratories (Tokyo) has developed a household robot that it claims can be remotely controlled by a video-enabled cell phone over the Internet.

The rechargeable Maron-1 robot is capable of traveling around an apartment or house and is equipped with a telephone, two video cameras, remote control, timer, surveillance equipment and a proximity sensor.

The Maron-1 could be used for monitoring homes or offices at night or for checking up on persons requiring special care and monitoring. The robot watchdog can also detect anything or anyone unusual entering its field of view. If it spots an intruder or any unusual activity, it sounds an alarm or calls a pre-set number.

The robot can also be used to remotely control household appliances such as air conditioners.

Fujitsu plans to market the robot next year. Cost will be around \$1,500.

A Swedish Company (Followit AB) has developed a small transmitter the size of a matchbook that can be worn on clothing, placed in dog collars, left in a car ...or located anywhere. Its signal is picked up and, using GPS, the exact location is relayed through the Internet to your cell phone. More information at: <www.followit.se>.

INTERNET & WORLD WIDE WEB

Shoppers in the Washington, D.C.-area went online to purchase food during the recent Sniper crisis.

Online grocery service, Peapod, said its 73 drivers were overwhelmed with business during the sniper murders. The sniper's first victim was shot Oct. 2 while crossing the parking lot of a Shoppers Food grocery store.

Free e-mail forwarding. A new study reveals that one-third of all e-mail addresses are changed annually, causing people to lose touch. According to the study, e-mail address turnover is driven by ISP switching, job

changes and consumer efforts to avoid SPAM. But there is something you can do about it since there are several free e-mail forwarding services available. There is even one that checks with you before e-mail is forwarded.

Notifying contacts of an e-mail address change is no small task, according to the survey. While consumers, on average, registered their e-mail address with more than twelve Web sites, according to the study, e-mail address changers only notified about six Web sites of the change. And, twenty-two percent of those who changed an e-mail address did not notify any Web site about the change.

If you are a licensed ham operator and plan to change your e-mail address, you can use the e-mail forwarding service offered by the ARRL (members only) or QSL.net (any licensed ham operator) at <www.arrl.org/members> or <www.qsl.net/cgi-bin/sigupwiz.pl>. And anyone can use the free Bigfoot e-mail forwarding service at <www.bigfoot.com> but being advertising supported, it comes with some ads.

You simply tell the service the address of your new ISP and any mail sent to your "alias" (such as W5YI@arrl.net) goes to your current Internet provider. Once you have an "alias" you can change Internet access services without losing e-mail.

Return Path offers a novel lifetime e-mail address service that redirects incoming mail to a current e-mail account and more than a million consumer-registered e-mail address changes are submitted every month to <www.returnpath.net>.

Unlike other services, Return Path service is not a typical e-mail forwarder; it requires your permission before providing your current e-mail address to friends, family, business associates or online subscriptions in search of your current e-mail address. You simply register your old and current e-mail addresses.

When a contact discovers that your old e-mail address is no longer current, Return Path's service locates you. The requester enters your old e-mail address and asks for your current one.

What happens next is up to you. Return Path will either automatically provide your e-mail address, or they will submit the requester's information to you for approval via e-mail. (Their revenue comes from businesses that subscribe to their address-change service.)

According to Forrester Research, "travel" is the largest and fastest-growing e-commerce category on the Internet today. More than 61 million U.S. households will book travel online this year, spending roughly \$20 billion. (\$37 billion is forecast for 2003.) Two-thirds of that amount are airline reservations. Jupiter Media Metrix predicts that the online travel sector will grow to \$63 billion a year by 2006.

Expedia, Travelocity and Orbitz currently account for half of all airline tickets sold online. But none of these display Southwest Airlines' fares, often the best deal. All offer exclusive Web specials.

The fastest growing segment are online hotel bookings. Check out <www.hotels.com> for competitive values. While hotel bookings are accounting for a bigger share, hotel owners are getting less per room due to the competition and the commission they must pay to online reservation services.

According to ComScore Networks, travel-related purchases accounted for about 43 percent of online consumer spending in the first half of this year.

WASHINGTON WHISPERS

The Consumer Electronics Association has sued the FCC in federal court over their mandate that television sets must contain a digital tuner by 2007. The lawsuit, filed Oct. 11th with the U.S. Court of Appeals for the District of Columbia, pits TV manufacturers against TV broadcasters who lobbied for the requirement.

In August, the FCC ordered manufacturers to phase in digital tuners to all televisions 13 inches and larger over the next five years. Starting in July 2004, 50 percent of all new sets 36 inches and larger must have digital tuners.

The mandate was part of the FCC's ongoing effort to convert U.S. television from analog to digital broadcasting which offers better resolution, six-channel sound, more channels and various new services.

According to the CEA, 1.43 million digital TV sets and monitors were shipped to dealers in 2001. But only 70,295 – less than 5 percent – of those had integrated DTV tuners and decoders. This means that while 500 TV stations are already transmitting a digital signal, few consumers have the capability to tune in their

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local digital channels.

Broadcasters say a tuner mandate is needed to build the audience for digital channels and help them recover their investment. The CEA's argument is that a tuner, which they claim adds \$200 or more to a TV set, is pointless because 80 percent of consumers rely on cable and satellite and do not need – and will never need – off-air digital tuners.

The Consumer Electronics Association said it doesn't like the government telling manufacturers what products the industry can make and, furthermore, they believe the FCC doesn't have the authority to order the inclusion of tuners in digital sets. The commission said it gets its authority to require the digital tuners under the All Channel Receiver Act of 1962.

There is a question about whether terrorists or hackers were responsible for an Oct. 21st cyber-attack on the Internet in an effort to bring it down by overwhelming it with too much traffic. The FBI is trying to determine who is responsible for a "distributed denial of service" assault on key Internet master directory servers that are responsible for translating typed domain names into their numerical Internet protocol addresses.

Domain-name service root servers located around the world were bombarded with 30 to 40 times the normal amount of data but the attack failed to cripple the network. Some were knocked out of service for a while, but the impact on the Internet community was basically negligible.

Security experts estimated that about 6,000 computers – mostly broadband-connected PCs in residential homes that the attackers electronically commandeered – took part in the onslaught. The only way to stop denial of service attack is to secure every computer attached to the Internet so they can't be used unwittingly as launching pads. The coordinated attack seemed to come from numerous countries, including the United States.

The U.S. National Communications System (NCS) plans to develop a Global Early Warning Information System (GEWIS, pronounced "gee-whiz") to monitor the performance of the Internet. This would provide warnings to government and industry users of threats that could degrade service, such as virus and denial-of-service attacks against the Domain Name Servers (DNS) that control Internet traffic.

The NCS is co-managed by the White House and the the Defense Information

Systems Agency. <www.disa.mil>

AMATEUR RADIO

FCC Amateur Enforcement News

Billie R. Marshall N8ORF (Toledo, OH) was asked by the Toledo Mobile Radio Association to stop using their W8HHF repeater as a result of "...failing to follow operational rules" set forth by the control operators.

The FCC said it "...requires that repeaters be under the supervision of a control operator and holds such control operators and licensees responsible for the proper operation of the repeater system. Control operators may take whatever steps are appropriate to ensure compliance with the repeater rules, including converting the repeater to a closed repeater or taking it off the air entirely. We do not require them to convert the repeater to a closed repeater in order to ensure compliance among the users."

The FCC warned it will initiate enforcement action if Marshall uses the repeater again "...which may include revocation, forfeiture or a modification proceeding to restrict the frequencies on which you may operate N8ORF." He was directed to contact the FCC within 20 days.

Karl Bingert, Fire Chief (Bon Secour, AL) was advised that non-certified equipment may not be used for public safety communications. The FCC said it had information that their department may be using modified ICOM Amateur Radio two meter hand-held radios to operate on fire department frequencies. "The use of Amateur Radio units of any kind, modified to operate on your frequencies, is against the Commission's rules and will result in enforcement action...."

Merle W. Garbe W0SBE, (Morrison, CO) has been notified that a complaint filed with the FCC Commission charges that he "...interfered with the Hurricane Watch Net on 14.325 MHz during its Hurricane Isidore activation. At first refusing to share the frequency with the Net, you apparently moved a net of your own, the "Sunlighter Holiday Hams", to an adjacent frequency that continued to adversely affect the net operations."

"The Hurricane Watch Net is oper-

ated to assist the National Hurricane Center in Miami, Florida and all governmental entities and persons in a target area of a hurricane system. Such operation by the Hurricane Watch Net is one of the most important purposes of the Amateur Radio Service as set out in Part 97 of the rules."

Garbe was directed to respond to the complaint within 20 days. "The information you provide will be used to determine what action to take in this matter."

James S. Watkins K16GU (Burbank, CA) has been directed to respond within 30 days to "...complaints filed about the operation of your station on 3.830 MHz on August 16 and 24, 2002. The complaints relate to a call-in show or 'reverse phone patch' in which you requested short wave listeners to participate." The FCC again said "The information you submit will be used to determine what action we take in this matter."

Donald T. Blizzard W8UMH (Mount Vernon, OH), Charles H. Gordon W8CHG (Pinckney, MI), Harold M. Storrer K8MRE, (Fostoria, OH), Bernie D. Walsh K8BDW (Oak Harbor, OH) and Steven W. Garwood N0CZV, (Attica, OH) were notified by the FCC that the Amateur Radio band plan "...calls for 146.520 MHz to be used as a simplex calling frequency for Two Meter operation." The FCC said it has received complaints that "Numerous communications from your stations ...has lasted from nearly half an hour to an hour. While band plans are not mandatory, the Commission depends upon them to minimize the situations in which Commission intervention is required, and they comport with good Amateur practice under our rules." The five were asked to review Section 97.101 of the Commission's rules and to call the FCC if he had any questions.

A week after the FCC sent the above advisory notices, FCC's Riley Hollingsworth rescinded them. The canceled notices acknowledges that some confusion exists within the amateur community as to whether 146.52 is a national calling channel or just another simplex frequency.

The ARRL band plan specifies that 146.40-146.58 MHz and 147.42-147.57 MHz are to be used for simplex operation ...with 146.52 MHz being the National Simplex Calling Frequency.

ARRL band plans are available on the Web at: <www.arrl.org/FandES/field-regulations/bandplan.html>.

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HOLLAND TO IMPLEMENT WRC-2003 ACCORD QUICKLY

The *Society for Amateur Radio in The Netherlands* (VERON) held its annual "Dag van de Amateur" hamfest the weekend of Oct. 13th. The *Dutch Post and Telecom Authority* (OPTA) was present and in an information folder said they "...are working to implement any changes agreed at WRC- 2003 as soon as practicable," adding that "It is highly probable that there will be no difference between the 'A' (full privilege) and 'C' (no-code) license holders in the second half of next year."

Apparently the Netherlands does not have to go through a formal rulemaking proceeding in order to make the change and will make it immediately after WRC- 2003 eliminates the mandatory code requirement for HF operation. (Reported by Peter Halpin, PE1MHO)

PERSONAL BUSINESS OVER AMATEUR RADIO

May an amateur radio operator order a pizza (or call a cab) over the auto patch?

The answer is "Yes," as long as such use is not excessive and is allowed by the repeater control operator. Personal business communications are indeed "legally" allowed by the rules. See:

§ 97.113(a)(1&2) – Prohibited communications:

Any amateur-operator-to-amateur-operator communication is permitted, unless it is:

- 1.) Specifically prohibited, or
- 2.) Transmitted for compensation, or
- 3.) Done for the pecuniary benefit of the station control operator, or
- 4.) Done for the pecuniary benefit of the station control operator's employer.

§97.113(a)(5) – Prohibited communications:

Communications, on a regular basis, which could reasonably be furnished alternatively through other radio services.

These standards apply all amateur service communications including repeaters, packet, message forwarding systems, phone nets, ...bulletin stations. There are no special communications type rules specific to repeaters ...or to any other type of Amateur Radio communications.

Having said all that, the bottom line is that a repeater control operator makes the final decision as to what type of communications he/she will allow. A repeater owner/control operator may have more restrictive rules than those of the federal government. See:

§97.205(e.) – Repeater station: – "Limiting the use of a repeater to only certain user stations is permissible."

PAUL BLUMHARDT, K5RT, JOINS THE STAFF OF CQ

...as Director of New Business Development, company President Dick Ross, K2MGA, announced. Blumhardt, of Rowlett, Texas, will oversee efforts to broaden the base and the scope of the company's marketing activ-

ities. CQ Communications, Inc. publishes magazines, books, videos and other materials for the amateur radio and hobby radio fields.

Paul holds an Extra Class amateur license as well as a commercial FCC General Radio Operator License (First Phone) and degrees in both engineering and business. Blumhardt will work from his home in Texas, which he shares with his wife and two daughters..

On the ham bands, Paul is an active DXer and contester. Among his operating achievements are 5-Band WAZ, 5-Band DXCC, 6-Band Worked All States, A-1 Operator Club and #1 DXCC Honor Roll. He is active on both HF and VHF, and is a member of the ARRL, the North Texas Contest Club, the Potomac Valley Radio Club and the Lone Star DX Association. His primary non-radio hobby interest is drag racing.

"Paul brings to CQ a valuable mix of ham radio experience coupled with an outside view of the amateur radio industry," said Ross. "We look forward to having the benefit of that perspective as he works with our advertising, marketing and editorial staffs to bring and keep the CQ name in front of as many active radio hobbyists as possible."

AMATEUR RADIO STATION CALL SIGNS

...sequentially issued as of the first of November 1, 2002:

District	Extra	Advanced	Tech./General/Novice
0	AB0XA	KI0SK	→ KC0OHH
1	AB1BP	KE1ME	→ KB1IYO
2	AB2PV	KG2RR	→ KC2KJT
3	AA3CY	KF3EE	→ KB3ISL
4	AG4WJ	KV4GN	→ KG4VST
5	AD5MI	KM5XU	→ KD5UFJ
6	AE6JC	KR6FD	→ KG6NRI
7	AC7WH	KK7XM	→ KD7TBY
8	AB8PW	KI8KD	→ KC8UZJ
9	AB9GR	KG9QU	→ KC9CPS
Hawaii	→	AH6RO	NH7OK WH6DGT
Alaska	→	AL7RR	KL1JJ WL7CVR
Virgin Isl.	→	KP2CS	NP2MG WP2AIP
Puerto Rico	→	KP3BN	WP3UW WP4NOZ

[Source: FCC Amateur Service Database, Washington, DC]

● **The next shuttle launch to the International Space Station is targeted for Nov. 10th.** Mission STS-113 aboard the Shuttle Endeavour will change out the crews. Ken Bowersox KD5JBP, Nikolai Budarin RV3DB, and Don Pettit KD5MDT will make up the new three-man Expedition-6 crew that will be spending the next four months aboard the ISS. Pettit replaces Don Thomas who was medically disqualified. The Expedition-5 crew returning to earth: Valery Korzun RZ3FK, Peggy Whitson KC5ZTD, and Sergei Treschev RZ3FU.

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FCC SAYS "NO CHANGE" TO 2300 - 2305 MHz BAND

In an Order adopted by the FCC October 9th, the FCC has dismissed three Petitions for Rulemaking that asked for changes in the 2300-2305 MHz band

- (1.) Microtrax, Inc. requested that the band be reallocated to provide for a Personal Location and Monitoring Service ("PLMS"). (RM-9797 filed Nov. 22, 1999.)
- (2.) AeroAstro, Inc. asked that 2300-2305 MHz be reallocated to a Miscellaneous Wireless Communications Service ("MWCS") where it wanted to operate a satellite-based location and messaging service. It would be shared with radioamateurs. (RM-10166 filed April 9, 2001.)
- (3.) Noting that there is no primary allocation in this band, the American Radio Relay League, Inc. requested that the existing secondary amateur service allocation at 2300-2305 MHz be upgraded to a primary allocation.

It said that "...the 2300 MHz band is of 'extreme importance' to amateur radio operators for weak-signal communications" and that "...the low noise levels in the band support propagation research such as beacon operations."

ARRL also claimed it could not share the spectrum with commercial operations and that a primary allocation would protect the band from potentially incompatible commercial services. (RM-10165 filed July 7, 2001.)

Internationally, the 2300-2305 MHz band is allocated to the fixed and mobile services on a primary basis and to the Amateur Radio Service secondarily in all three ITU Regions.

In the U.S. prior to 1995, the 2300-2305 MHz band was primarily allocated for Federal Government radio-location services on a primary basis, and to the Amateur Service on a secondary basis.

In 1993, the spectrum became part of 235-MHz of spectrum that was transferred from the Federal Government to future non-Government Services. Congress asked, at that time, that disruption of amateur uses of the bands be minimized.

On November 22, 1999, the Commission released a Spectrum Policy Statement noting that it was statutorily required to hold the 2300-2305 MHz band in reserve until 2006.

"Since we are dismissing the Petitions for Rulemaking from Microtrax and AeroAstro for access to this spectrum," FCC said, "amateur operator's weak signal communications in the 2300-2305 MHz band will be protected if the amateur allocation remains secondary."

"This band will remain in the Commission's reserve, and the status quo in the band will be maintained until the FCC reevaluates the spectrum reserve at some future date. At that time the Commission can address any modifications to the allocation status for the Amateur Service that may be appropriate. Accordingly, we are also dismissing the ARRL Petition for a primary allocation to the amateur service in the 2300-2305 MHz band." The action, taken Oct. 9, maintains the status quo on the band.

AMATEUR RADIO IN THE NEWS MEDIA...

The Oct. 6th **Annapolis Capital-Gazette** (MD) carried a feature entitled "Amateur Radio Aids EMS (Emergency Management Service) Crews" about a nationwide test of the Amateur Radio Emergency Service (ARES).

The Oct. 6th **San Gabriel Valley Tribune** (CA) in "Amateur Ham Radio Operators Last Link in Chain" said ham radio is the "...last line of communication if all other forms are wiped out in a disaster. Steve Grudzinski (AD6HT, Hacienda Heights, CA) and crew of amateur radio operators have been called out on emergencies, such as a blacked-out hospital in Glendale. In that case, ham radio operators were used to communicate between floors of the hospital, carrying messages that would have otherwise been transmitted by telephone."

The Oct. 4th **Hattiesburg American** (MS) told how "Ham Radio Operators Spread Storm News." "When the eye of Hurricane Lili passed over New Iberia, La., at 10:30 a.m. Thursday, Hattiesburg amateur ham radio operator Lex Mason (KD5XG) was in contact with residents there who were waiting out the storm."

The **Pascagoula Press** (MS) wrote about ham operator activity during Tropical Storm Isidore: "Emergency Shelters Open for Those in Need." Steve Allee KD5RIW, and other members of the ARES kept in contact with the local EOC. "Shelters need communications that can exceed the capabilities of phone systems."

The Oct. 18th **Winchester Herald-Chronicle** (TN) covered the 'Fourth Annual Amateur Radio Day' sponsored by the Middle Tennessee Amateur Radio Society. "Several 'hams' took their own equipment to area schools and set up stations to give children an opportunity to talk to other schools and to other hams in the area."

"Scouts Talk to Other Side of World," an Oct. 20th **Central Ohio News Journal** story told about Troop 123 participating in the worldwide Boy Scouts annual ham-radio jamboree. "The event allows Scout troops from around the world to talk to one another, said Dan Baker (N8SJF), a member of the Inner City Amateur Radio Club who headed the radio event for Troop 123." The **New Bern Sun-Journal** (NC) also ran a JOTA story.

The **Borneo Bulletin** (Oct. 21) ran a feature "Scouts Radioing Their Way to Success" about "The 45th Jamboree On The Air ...officially launched last Saturday night by the Director of Telecom Department at the Scouts Headquarters Complex. The Radio Amateur Club of Scouts Association of Brunei Darussalam (PPNBD) was established in 1987." Brunei is located in Malaysia north of Indonesia. Another JOTA story: "Scouts Link up on the Air", appeared in the **Huddersfield Daily Examiner** (United Kingdom.)

The Sept. 25th **Starkville Daily News** (MS) covered the '2nd Annual ARRL-Day-in-the-Park' ham-fest hosted by MFJ Enterprises ...founded by Martin F. Jue, [K5MFJ which] began operations in a small rented hotel room in 1972 in the old Stark Hotel in downtown Starkville."

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AUSTRALIAN ONLINE HAM RADIO TRAINING IS FREE! *Automated computer-aided "Elmering" over the Internet*

A innovative concept in beginning Amateur Radio license training has been developed by the Queensland Division of the Wireless Institute of Australia (WIA). The online "Radio & Electronics School" is located on Web at: <www.radioelectronicschool.com/>

The well-done Website is the work of EyeCue Design of Perth, Western Australia (See: <www.eyecue.com.au>). There are no fees whatsoever to anyone who wants to take the online course which qualifies them for an Amateur Radio license in Australia ...or to learn about radio, electronics and communications.

The online course material is designed to cater to the beginner and ends with the student being ready to take Australian Unrestricted Amateur Radio Operators Certificate of Proficiency exam. Although the material is designed for Australian examinations, there is no reason why it can not be used for exam preparation in other countries as well since the electronics does not change.

Ham radio clubs, study groups and instructors may also use the material at no charge (available for \$10.00 on a CD-ROM which may be freely copied.) The Novice and Full theory course both consist of 20 "assignments." There is also an online course that covers (Australian) Amateur Radio Regulations.

The course is designed to be interactive with a live online volunteer tutor (called a "Facilitator") over the Internet. The course is generally conducted one-on-one between the student and their personal instructor who has total control over the number of students they have and the rate at which their student(s) progresses. Australian radioamateurs can apply to become volunteer tutors.

The student simply downloads subject material which is posted to the Web in Adobe PDF format and then sends an e-mail to one of the tutors to start the course.

Assignments are sent via e-mail and are copied and pasted into a plain text editor. When finished, the student pastes the assignment back into their e-mail program for return to the tutor for their comments and suggestions.

This also gives the student the opportunity to ask for clarifications ...or to discuss something they may be having trouble understanding. There is no time limit in which to complete the course. Students typically spend 3-4 hours a week on each assignment and complete one assignment a week.

The assignments consisting of about 20 essay-type questions (NOT multiple choice) are based on the posted topics and one assignment normally covers two topics. Tutors usually review the assignment and provide students with personalized comments and guidance on their work within 24 to 48 hours after receipt.

Students can, however, download the subject material and do the entire study themselves without a tutor and then take the appropriate sample examinations.

Right now there are over 300 persons actively taking the free course with an online "Elmer." Volunteer "facilitators" are unable to accept enrollment outside of Australia, New Zealand and PNG (Papua New Guinea).

Another resource available to students is an E-groups message board named "AmateurRadioStudy." Joining and participation is optional and students can also eavesdrop if they wish. Go to: <<http://groups.yahoo.com/group/amateurradiostudy/>> to subscribe.

How the course works

The student simply downloads the topic material from the Web site using an Adobe Reader. (You can also print them out.) When ready, the volunteer tutor sends an assignment (about 20 questions) by e-mail. The student answers the questions and emails it back to the tutor for review and comment. The reviewed exam is returned along with new questions on the next two topics.

Students can ask questions of their tutor at any time regarding the course content. All are 'real' people and most accept telephone calls from students if there is a need to do so.

The download section on their Website contains many other resources such as programs and other material which students find useful - even CW practice at various speeds. And new material is added frequently.

Assignment No 1 (based on topic one and two)

Follows are some actual Basic Electricity questions, the answers to which must be returned to the tutor. "How does a Proton differ from an Electron?" - "What is the law of charges? (like and unlike)" - "What makes a conductor a good conductor?" - "What is an electric current?" - "How do current and voltage differ?" - "Voltage is known by other names. Name as many as you can think of." - "Define the unit of current." - "What must exist for there to be a voltage between any two points?" - "Name some of the ways of creating a voltage and some effects of electric current." - "What are the basic types of electric current?" - "What is meant by 'Resistance'?" - "What is a Coulomb?" - "Is there any difference between a battery and a cell?" ...and so forth. Again, not multiple choice.

There are also optional questions for those who want to go a little deeper and broader. The answers to all questions can be found in the downloaded subject matter.

"The secret of a successful course is communication between you and your facilitator and a consistent regular approach to study," says Ron. Bertrand, VK2DQ/4. On completion of the course, successful candidates are awarded a formal certificate and they are ready to take the license examination.

The online ham radio school has a good selection of trial exams which students can take once then have completed the assignment stage of the course. The normal procedure is for the student to work through a number of trials exams in the final stages of the course with their instructor just prior to taking their examination.